

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

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LLS NO. 14-0228.01 Jerry Payne x2157

INTERIM COMMITTEE BILL

Transportation Legislation Review Committee

SHORT TITLE: "Highway Restriction Violation Penalties"

A BILL FOR AN ACT

101 **CONCERNING THE PENALTY FOR VIOLATING A ROAD RESTRICTION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Transportation Legislation Review Committee. The bill raises the fine for the operator of a commercial vehicle who violates a road closure or road restriction from \$500 to \$2,000, and, when the violation of a restriction (e.g., chains required) results in the closure of a travel lane, the fine is increased to \$2,500. In addition, two license suspension points are imposed for each of these violations.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 42-4-1701, **amend**
(4) (a) (I) introductory portion and (4) (a) (I) (F) as follows:

42-4-1701. Traffic offenses and infractions classified - penalties - penalty and surcharge schedule - repeal. (4) (a) (I) Except as provided in paragraph (c) of subsection (5) of this section, every person who is convicted of, who admits liability for, or against whom a judgment is entered for a violation of any provision of this title to which paragraph (a) or (b) of subsection (5) of this section apply shall be fined or penalized, and have a surcharge levied thereon pursuant to sections 24-4.1-119 (1) (f) and 24-4.2-104 (1) (b) (I), C.R.S., in accordance with the penalty and surcharge schedule set forth in sub-subparagraphs (A) to (P) of this subparagraph (I); or, if no penalty or surcharge is specified in the schedule, the penalty for class A and class B traffic infractions ~~shall be~~ is fifteen dollars, and the surcharge ~~shall be~~ is four dollars. These penalties and surcharges ~~shall~~ apply whether the defendant acknowledges the defendant's guilt or liability in accordance with the procedure set forth by paragraph (a) of subsection (5) of this section, ~~or~~ is found guilty by a court of competent jurisdiction, or has judgment entered against the defendant by a county court magistrate. Penalties and surcharges for violating specific sections ~~shall be~~ ARE as follows:

Section Violated	Penalty	Surcharge
(F) Size, weight, and load violations:		
42-4-502	\$ 75.00	\$ 24.00
42-4-503	15.00	6.00
42-4-504	75.00	24.00
42-4-505	75.00	24.00

1	42-4-506	15.00	6.00
2	42-4-509	50.00	16.00
3	42-4-510 (12)(a)	35.00	10.00
4	42-4-106 (1), (3), (4),		
5	(6), or (7)	35.00	10.00
6	42-4-106 (5)(a)(I)	100.00	32.00
7	42-4-106 (5)(a)(II)	500.00	156.00
8	42-4-106 (5)(a)(III)	500.00	78.00
9	42-4-106 (5)(a)(III)	2,000.00	156.00
10	42-4-106 (5)(a)(IV)	2,500.00	156.00
11	42-4-512	75.00	24.00
12	42-8-105 (1) to (5)	50.00	16.00
13	42-8-106	50.00	16.00

14 **SECTION 2.** In Colorado Revised Statutes, 42-2-127, **add** (5)
15 (II) as follows:

16 **42-2-127. Authority to suspend license - to deny license - type**
17 **of conviction - points.** (5) Point system schedule:

18	Type of conviction	Points
19	(II) EFFECTIVE JULY 1, 2015, DRIVING IN VIOLATION OF A	
20	HIGHWAY RESTRICTION UNDER SECTION 42-4-106.	2

21 **SECTION 3. Act subject to petition - effective date -**
22 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
23 the expiration of the ninety-day period after final adjournment of the
24 general assembly (August 6, 2014, if adjournment sine die is on May 7,
25 2014); except that, if a referendum petition is filed pursuant to section 1
26 (3) of article V of the state constitution against this act or an item, section,
27 or part of this act within such period, then the act, item, section, or part

1 will not take effect unless approved by the people at the general election
2 to be held in November 2014 and, in such case, will take effect on the
3 date of the official declaration of the vote thereon by the governor.

4 (2) This act applies to offenses committed on or after the
5 applicable effective date of this act.